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October 16, 2014

Timothy Austin, Esq.
Federal Public Defender's Office
39 N. Pearl Street
Albany, New York 12207

RE: United States v Brian Belanger
Docket#: 14-M-35 (RFT)

Dear Mr. Austin,

Brian Belanger, age 22, was seen for a comprehensive psychological evaluation at Montgomery County Jail on September 26, 2014. The aim of the evaluation was to better understand the serious charges of Production of Child Pornography. Particular emphasis was placed on the psychodynamic etiology, treatment strategies, and prognosis for reoffending.

Mr. Belanger was seen for 2 hours in a face-to-face evaluation. He was administered the Minnesota Multiphasic Personality Inventory-2, and the Wechsler Adult Intelligence Scale-IV. I also spoke with his mother as a collateral source of information.

The following records were reviewed:

1. Criminal Complaint;
2. CD containing two files;
3. FBI "Advise of Rights" form;
4. Handwritten Statement of Brian Belanger's one page;
5. FBI Typewritten Report;
6. FBI "Receipt from Property..."
7. Handwritten Notes bearing Date January 26, 2014;
8. Handwritten Notes bearing Date February 7, 2014; and
9. Handwritten Page bearing the Words say at top of one page.

RELEVANT BACKGROUND INFORMATION:

Mr. Belanger admitted to enticing a ten year old boy on separate occasions, into recording and videotaping himself in a number of sexual acts such as masturbating and slapping his penis. Allegedly the videos were mailed via email to Mr. Belanger.

A review of Mr. Belanger's available records include allegations that Mr. Belanger had also sexually acted out on two to three, 5 or 6-year-old children when he was age 16. These are pending allegations in Massachusetts.

PSYCHOSOCIAL HISTORY:

Mr. Belanger grew up in Worchester, Massachusetts. He has a regular high school diploma and some college credits. He is single, never married, has no children, and remains a virgin. He resides with his parents.

He presented with significant and extreme social deficits. He was born with a deformity to his left eye which causes blurriness. By report, he has had several surgeries. He claims to have been bullied relentlessly and targeted by his classmates. He has been called vulgar names, robbed, and physically assaulted. He has never felt part of his peer group. He did not engage in any typical child-centered activities with children his own age.

Mr. Belanger related that during the 4th or 5th grade, he was sexually abused by anal penetration from a school teacher. He had tried to block it out for several years but was unable to and was scared to tell anyone. He believes it happened less than 5 times. In one of the FBI statements, there is some incongruity where Mr. Belanger describing being sexually abused by a family friend as well.

Although Mr. Belanger describes himself as heterosexual, his most recent deviant sexual activity has been focused on a prepubescent boy. Apparently, there were approximately 20 videos recovered on his computer.

Mr. Belanger presents as emotionally younger than his stated age, both in physical stature and social development. He is unusual and bizarre looking. He has small baby teeth as well as one drooping eye. He is short and of slim statured. As a result of never having been accepted by his peer group, he has internalized a lot of hate and anger towards others. There is no ability to empathize or find compassion for anyone else. He keeps himself protected by staying detached.

MENTAL STATUS:

On examination, he was neatly groomed in jail attire. Mood was moderately depressed with flat affect. He was also seen as anxious and nervous. He was guarded and suspicious initially but eventually let some, but not all, of his guard down. He was oriented to time, place, and person. Thoughts were well organized. Insight and judgment were poor by history. Attention and concentration were unimpaired. He attended brief psychotherapy for his inappropriate behavior. He described no other counseling or any other type of personal therapy. He has no history of substance abuse treatment. He does not smoke cigarettes or use alcohol. He has never engaged in any illicit drug use. He has no prior arrest record. He has no medical problems and takes no medications.

Mr. Belanger has some insight into the fact that he has inappropriate urges and sexual feelings. He understands the need to learn new ways of coping and reducing his impulses.

Mr. Belanger continued to convey that he has given up all passion for anyone and that he has little, if any, trust in others. He has felt that he was treated poorly, and as if he did not belong with everyone else.

Mr. Belanger understands the wrongfulness of his behavior. He made no effort to project blame on to anyone else or minimize the seriousness of his actions. He had convinced the victim to engage in sexual activities, videoed the activity, and was emailed to him. No child pornography was discovered on his computer. He does subscribe to 1 or 2 adult websites which also have sado-masochistic images.

Mr. Belanger has tried to engage in physical activities such as martial arts in order to manage his inappropriate impulses.

MINNESOTA MULTIPHASIC PERSONALITY INVENTORY-2:

The profile was valid. Mr. Belanger was willing to admit to shortcomings and current psychosocial stressors. The profile reflects a significant amount of psychopathology. He has markedly low self-esteem and endorsed very unusual, bizarre and infrequent responses. The profile suggests he suffers from nervousness, anxiety, and depression. He is highly suspicious and may have a delusional system in place. He does not trust others. He may be detached and autistic in his interactions with others. His thought processes are unusual and unconventional. He is likely to be quite negative. He distrusts others and keeps them at a distance. He has difficulty expressing his emotions. He is emotionally immature. He is markedly introverted which suggests limited social skills. He is moderately depressed which appears to be internalized. The mania scale was not elevated suggesting he internalizes most of his emotions.

WECHSLER ADULT INTELLIGENCE SCALE-IV (WAIS-IV):

The WAIS-IV test places Mr. Belanger in the average range of cognitive functioning. His verbal comprehension score:108, perceptual reasoning: 107, working memory: 100, processing speed: 102, and impulse scale IQ: 107. Please note 90 to 110 is the average range. The scores are consistent. There is no marked discrepancy between verbal and performance scales. This appears to be an accurate estimate of his current and longstanding level of cognitive functioning.

Verbal Comprehension:

Similarities	15
Vocabulary	11
Information	9

Perceptual Reasoning:

Block Design	12
Matrix Reasoning	11
Visual Puzzles	11

Working Memory:

Digit Span 8
 Arithmetic 12

Processing Speed:

Symbol Search 11
 Coding 10

CASE FORMULATION:

Mr. Belanger is an individual whose inappropriate sexual behavior was multidetermined. He was born with an eye deformity and has an unusually small stature/frame and a limited physical presence. He was never accepted in his peer group. He was mocked to the point of physical and emotional assaults. He developed a strong defense mechanism where he no longer feels empathy or compassion for anyone. He has internalized the hate he feels from others and as a result has developed a hostile and sadistic fantasy life.

According to Mr. Belanger, he was sexually abused in the 4th or 5th grade by a teacher. He was anally sodomized approximately 5 times. He, in return, sexually abused 3 children ages 5 to 6. His social development is delayed and arrested. He never was able to engage in normal child-centered or adolescent-centered activities. As a 21-year-old young man, he played video games with individuals much younger than himself. He has always felt accepted by children as he has gotten older. In contrast, he has always been rejected by his same aged peers.

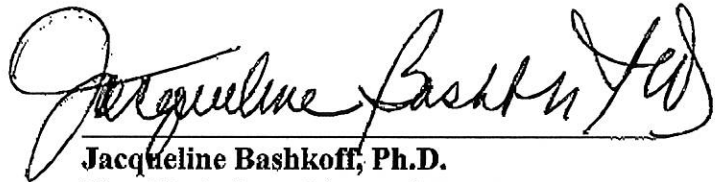
Mr. Belanger understands his impulses and urges are inappropriate. He understands his need for extensive treatment and supervision. Mr. Belanger is a candidate for both sex offender treatment which would include building empathy, managing impulses, increasing social skill deficits, and learning about normal healthy sexual relationships. After a period of incarceration, he would be seen as a suitable candidate for high level community supervision.

Mr. Belanger is seen in the literature as a "situational pedophile." That is, he will not prey on or act out in the community. He will not search for minors. Even the daycare situation, if true, in his mother's home provided him easy access. Likewise, child pornography is a very passive violation and does not require any human touch. He is not impulsive and has no history of acting out in the community. Court ordered monitoring and supervision will provide safety guards which will reduce his likelihood to be placed in risky situations.

I hope these insights are useful in helping both Mr. Belanger become healthy and at the same time protect the safety needs of society.

Please feel free to contact me if I can be of any further assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jacqueline Bashkoff". The signature is fluid and cursive, with a large initial "J" and a stylized "B".

Jacqueline Bashkoff, Ph.D.
New York State Licensed Psychologist
ATSA Clinical Member

JB/TR10/ED5

Jacqueline Bashkoff, Ph.D.
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December 1, 2015

Lee Greenstein, Esq.
125 Adams Street
Delmar, New York 12054

RE: Brian Belanger
Docket# 14-M-35 (RFT)

Dear Mr. Greenstein,

I met with Brian Belanger, age 23, at Rensselaer County Jail on November 28, 2015 to provide an update to my risk assessment conducted in September of 2014.

Mr. Belanger presented as very calm, kind and gentle as he discussed this past year while incarcerated. He has been seeing a counselor in the jail on a bi-weekly basis. He stated "I am trying to build myself a better person." Mr. Belanger is trying to get as much help as he can. He is preparing himself for sentencing.

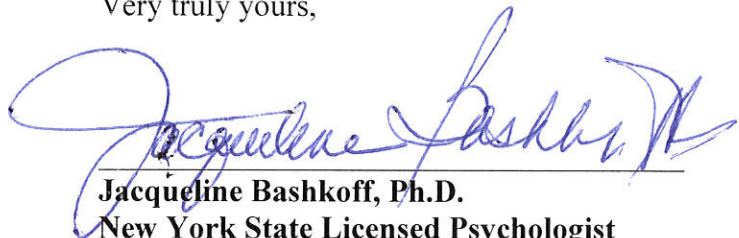
He has nightmares and worries that some of his loved ones will pass away while he is incarcerated. He plans to get a job in the federal prison and save all his money for when he is released.

Mr. Belanger was very pensive and reflective this time. He acknowledges having issues which he feels date back to his own childhood sexual victimization. Mr. Belanger is aware of his cognitive and social limitations. He does not want a relationship with anyone else until he can figure himself out. He stated there were too many unknowns and wants to progress more in therapy. He remains very remorseful. He accepts full culpability.

In summary, Mr. Belanger presented as more mature with very positive goals. He is a good candidate for sex offender treatment. He is very motivated for treatment. Successful completion of sexual offender treatment will reduce his risk to recidivate (Abracen, Looman, Ferguson, Harkins, and Mailloux, 2011).

Please feel free to contact me if you require any further information.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Jacqueline Bashkoff', is written over a horizontal line.

Jacqueline Bashkoff, Ph.D.
New York State Licensed Psychologist
ATSA Member

JB/tr11/ed20